

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 5, 2004

LB 479

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Kremer, on the Baker amendment to LB 479.

SENATOR KREMER: Thank you, Senator Cudaback and members of the Legislature. Senator Bourne I think had some good points, and I agree with him. I think that we need to kind of look at that to make sure that somebody going to expand does qualify for LB 775 money. What we tried to do last year, and didn't get it done because we ran out of time, was to clarify what the intent of the Legislature was. And I think this answers Senator Erdman's questions a little bit. That the plant had to be up and running by a certain date, and operating, in order to qualify. Then we found out there are some ways to get around that, which I do not think what the intent was, but we could not go back and make it retroactive. The 15 million gallons, I just figured that up. If we're saying that they have to be producing at that rate on a 30-day period using the same criteria that we were with 100,000 gallons per year, that means in a 30-day period they would have to be producing 1,250,000 gallons. Now if a plant is a 40 million gallon plant, and this is about...if they would have been up running on June 30, they'd have three and a half, four months to get up to that point of only 1,250,000 gallons in the 30-day period. I think that's very reasonable. I think they can do that. I know the Central City plant did not get their permits until about July 15 of this year. Many of the other plants had permits before that but were having trouble funding, or many other things. The Central City plant got their permits on July 15. They started building the next day. There were not be able...they were not able to build any structure, but they did have a lot of the ground work done before that. And they were determined that they were going to meet the qualifications the way that we...I think we intended, and the way they read it, that they would have that plant up and running full steam on June 30, or at least producing 100,000 gallons with the finished plant. So I think it's only fair that, especially when we're out of money--we have a bill coming up later that would take care of the \$42 million shortfall, but if we let another five or seven or whatever plants come on, we could be \$150 million short. But I still think if they aren't getting EPIC funds, they should qualify for LB 775 money. I think that it's very